

REMARKS

Claims 1-17 are pending in this application. Of these pending claims, Claims 1-6, 8, 9 and 14 stand rejected; and Claims 1-17 are objected to. By way of this paper, Claims 1-13, 16 and 17 have been amended, and Claims 14 and 15 have been cancelled without prejudice.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance.

Claim Objections

Claim 1-13, 16 and 17 stand objected to for containing minor informalities. By way of this paper, Claims 1-13, 16 and 17 have been amended to correct these minor informalities. As such, Applicants respectfully request reconsideration and withdrawal of the objections to Claims 1-13, 16 and 17.

Claim Rejections – 35 U.S.C. § 112

Claims 1-6, 8, and 9 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By the amendments of this paper, the special relation of the drag element to the sheet transport element (i.e., within the path of rotation by the rotating sheet transport element) has been clarified, and provided with proper antecedent basis. Also, the remaining noted limitations not having proper antecedent basis have been provided with proper antecedent basis. Accordingly, Claims 1-6, 8, and 9 are respectfully considered to now to particularly point out and distinctly claim the subject matter which applicant regards as the invention, and it is requested that the rejection of Claims 1-6, 8, and 9 now be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Claims 1-6, 8, and 9 stand rejected under 35 U.S.C. §102 as being anticipated by the Evangelista ('135) reference. The reference to Evangelista

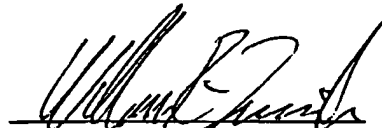
('135) is directed to a device for depositing sheets for a printing apparatus. However, such reference does not show, or in any way teach, the structure of Applicants' invention as now specifically recited in the claims as amended. That is to say, Applicants' claimed invention recites at least one rotating drivable sheet transport element to receive a leading edge of a sheet and deposit the sheet on a stack after the sheet has traveled a path of rotation, and at least one drag element for pulling a sheet that has been deposited on the stack toward a mechanical stop. The drag element is coupled with the rotation of the sheet transport element and is arranged in such a manner that the drag element can assume an inoperative position within the path of rotation by the rotating sheet transport element. The drag element, in order to perform its dragging function, can be moved at least partially out of the path of the rotating sheet transport element. Consequently, the drag element, advantageously, does not disrupt the transport and deposition of the sheet because the drag element is mostly in its inoperative position within the circle of rotation of the sheet transport element. The drag element may project from this circle only for its intended function, i.e., as far as is necessary in order to bridge an existing height difference relative to the stack. This is the important aspect of Applicants' invention, and is not shown or taught by the prior art. Therefore, Applicants' invention as recited in the amended Claims 1-6, 8, and 9 (as well as amended Claims 7, 10-13, 16, and 17 dependent directly or indirectly upon Claim 1) is respectfully considered to define over the cited prior art, or any other prior art known to Applicants. Accordingly, the rejection of Claims 1-6, 8, and 9 should now be withdrawn, and Claims 1-13, 16, and 17, as amended, should now be allowed.

CONCLUSION

It is respectfully submitted that, in view of the above amendments and remarks, this application is now in condition for allowance, prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William R. Zimmerli', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.